

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A composition for use in making commercial products, consisting essentially of the S enantiomer of equol ~~comprising~~ (S-equol).
2. (original) The composition according to Claim 1 wherein the composition is made by isolating S-equol from a racemic mixture of S-equol and R-equol.
3. (cancelled)
4. (currently amended) The composition according to Claim 2 ~~Claim 3~~ wherein the isolated S-equol has an enantiomeric purity of 90% minimum enantiomeric excess (EE).
5. (original) The composition according to Claim 4 wherein the S-equol has an enantiomeric purity of 96% minimum EE.
6. (withdrawn) An article of commerce comprising a non-racemic mixture of S-equol and R-equol.
7. (withdrawn) The article of commerce according to Claim 6, wherein the non-racemic mixture comprises a ratio of S-equol to R-equol of from about 1:99 to about 49:51.
8. (withdrawn) The article of commerce according to Claim 6, wherein the non-racemic mixture comprises a ratio of S-equol to R-equol of from about 51:49 to about 99:1..
9. (withdrawn) The article of commerce according to Claim 6 wherein the article of commerce comprises a food.

10. (withdrawn) The article of commerce according to Claim 7 wherein the non-racemic mixture of equol is made by mixing a first equol component comprising R-equol, and a second equol component consisting of a mixture of S-equol and R-equol.

11. (withdrawn) The article of commerce according to Claim 7 wherein the non-racemic mixture of equol is made by mixing a first equol component comprising S-equol, and a second equol component consisting of a - mixture of S-equol and R-equol

12. (currently amended) A food composition comprising an additive component consisting essentially of comprising S-equol.

13. (original) The food composition according to Claim 12, wherein the food comprises, per serving of food, at least about 1 mg, and up to about 300 mg, S-equol.

14. (original) The food composition according to Claim 13, wherein the food comprises, per serving of food, at least about 10 mg, and up to about 200 mg, S-equol.

15. (currently amended) The food composition according to Claim 12, the additive further comprising R-equol, the food composition having to form a non-racemic ratio mixture of S-equol and R-equol.

16. (currently amended) A composition for topical application to skin, comprising equol consisting essentially of S-equol, and a vehicle.

17. (original) The composition for topical application to skin according to Claim 16, comprising by weight at least 0.1%, and up to 10%, of S-equol.

18. (currently amended) The composition according to Claim 16 where the S-equol is conjugated at the [[C-4']] C-4' or C-7 position to form a conjugate selected from the group consisting of glucuronide, sulfate, acetate, propionate, glucoside, acetyl-glucoside, malonyl-glucoside, and mixtures thereof.

19. (currently amended) The composition for topical application to skin according to Claim 16, further comprising R-equal, the composition having to form a non-racemic-mixture ratio of S-equal and R-equal.

Claims 20-26 (cancelled)

27. (withdrawn) A method of delivering S-equal to a mammal to prevent or treat a disease or associated condition, comprising administering to the mammal a composition comprising S-equal or a conjugated analog thereof.

28. (withdrawn) The method according to Claim 27 where the composition is administered in an amount sufficient to produce a transient level of S-equal in the blood plasma of the mammal of at least 5 ng/mL.

29. (withdrawn) The method according to Claim 27 where S-equal is conjugated at the C-4' or C-7 position to form a conjugate selected from the group consisting of glucuronide, sulfate, acetate, propionate, glucoside, acetyl-glucoside, malonyl-glucoside, and mixtures thereof.

30. (withdrawn) The method according to Claim 27 where the composition is administered to the mammal orally in a dose amount of at least about 1 mg S-equal.

31. (withdrawn) The method according to Claim 27 where disease comprises a hormone-dependent disease or condition selected from group consisting of cardiovascular disease, diminished blood vessel quality, lipid disorder, osteopenia, osteoporosis, liver disease, acute ovarian estrogen deficiency, benign breast cancer, breast cancer, benign prostate cancer, prostate cancer, skin cancer, colon cancer, vasomotor disturbances and night sweats associated with ovarian estrogen deficiency, impaired cognition, dementia, and brain disorders manifest as short or long-term memory loss.

32. (withdrawn) The method according to Claim 31 wherein the hormone-dependent disease or condition is selected from group consisting of cardiovascular disease, diminished blood vessel quality, lipid disorder, osteopenia, osteoporosis, liver disease, and acute ovarian estrogen deficiency.

33. (withdrawn) The method according to Claim 32 wherein the composition is administered in an amount sufficient to reduce the level of lipids in the blood or serum.

34. (withdrawn) The method according to Claim 32 wherein the composition is administered in an amount sufficient to reduce the surrogate markers of bone turnover or prevent bone loss as measured by bone mineral density.

35. (withdrawn) The method according to Claim 32 wherein the composition is administered in an amount sufficient to increase bone formation.

36. (withdrawn) The method according to Claim 32 wherein the composition is administered in an amount sufficient to prevent osteoporosis and reduce bone fracture.

37. (withdrawn) The method according to Claim 31 wherein the hormone-dependent disease or condition is selected from a group consisting of benign breast cancer, breast cancer, benign prostate cancer, prostate cancer, skin cancer, and colon cancer.

38. (withdrawn) The method according to Claim 31 wherein the hormone-dependent disease or condition is selected from a group consisting of vasomotor disturbances and night sweats associated with ovarian estrogen deficiency.

39. (withdrawn) The method according to Claim 31 wherein the hormone-dependent disease or condition is selected from a group consisting of impaired cognition, dementia, and brain disorders manifest as short or long-term memory loss.

40. (withdrawn) The method according to Claim 27 where disease comprises a non-hormone-dependent disease or condition selected from group consisting of inflammatory conditions of the gastrointestinal tract, the prostate, the breast, the skin and bone, and a condition associated with adenomatous polyps and familial polyposis.

41. (withdrawn) The method according to Claim 40 wherein the non-hormone-dependent disease or condition is selected from group consisting of a condition associated with adenomatous polyps and familial polyposis.

42. (withdrawn) The method according to Claim 40 wherein the non-hormone-dependent disease or condition is selected from group consisting of inflammatory conditions of the gastrointestinal tract, the prostate, the breast, the skin and bone.

43. (withdrawn) The method according to Claim 27 wherein the composition is administered as a food or food additive.

44. (new) The composition according to Claim 1 where the S-equal is conjugated at the C-4' or C-7 position to form a conjugate selected from the group consisting of glucuronide, sulfate, acetate, propionate, glucoside, acetyl-glucoside, malonyl-glucoside, and mixtures thereof.

45. (new) The food composition according to Claim 12 where the S-equal is conjugated at the C-4' or C-7 position to form a conjugate selected from the group consisting of glucuronide, sulfate, acetate, propionate, glucoside, acetyl-glucoside, malonyl-glucoside, and mixtures thereof.

46. (new) A food supplement for use in making commercial products, consisting essentially of the S enantiomer of equal (S-equal).

47. (new) The food supplement according to Claim 46 wherein the S-equal is isolated from a racemic mixture of S-equal and the R enantiomer of equal (R-equal).

48. (new) The food supplement according to Claim 46 where the S-equol is conjugated at the C-4' or C-7 position to form a conjugate selected from the group consisting of glucuronide, sulfate, acetate, propionate, glucoside, acetyl-glucoside, malonyl-glucoside, and mixtures thereof.

49. (new) The food supplement according to claim 46 where the S-equol is an extract from a composition containing S-equol that is produced in a biological synthesis from the metabolism of an isoflavone by an organism.